IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

TUESDAY, THE FIFTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

And
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT APPEAL NO : 327 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 19/08/2004 in WP.NO. 10972 OF 1994 on the file of the High Court.)

Between:

1 The Chairman & Managing Director, Central Bank of India, Chandramukhi, Nariman Point, Bombay.
2 The General Manager (PRS) Central Bank of India, Chandramukhi, Nariman Point, Bombay.
3 The Zonal Manager, Central Bank of India, Bank Street, Koti, Hyderabad.
4 The Regional Manager, Central Bank of India, Vijayawada-10.

..... APPELLANTS

AND

1 P.S.K. Prasad, S/o. P. Veera Swamy, Hindu, Sub-Accountant, Central Bank of India, Benz Circle Branch, Vijayawada – 10.
2 General Secretary, Central Bank of India Officers' Union, Central Bank of India, Bank Street, Koti, Hyderabad.

.....RESPONDENTS

Counsel for the Appellants: MR.C.SRINIVASA BABA

Counsel for the Respondents: MR.WILLIAM BURRA

The Court at the admission stage made the following:

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ORAL JUDGMENT: (per GB.J.)

The Writ Appeal is filed against the order passed by the learned single Judge in Writ Petition No.10972 of 2004, dated 19.8.2004.

2. The respondents herein filed the above Writ Petition seeking Writ of Mandamus to declare the Circular No.CO.PRS.IRP.93-94/101, dated 12.4.1993 and consequent letter dated 18.8.1993 as illegal, arbitrary and unconstitutional. The learned single Judge, after considering the matter, found that the order was not preceded by any notice and on that ground allowed the Writ Petition. Against the said order, the present Writ Appeal has been filed.

3. The learned counsel for the appellants submits that the order of the learned single Judge is not sustainable inasmuch as it is always open for the Bank to issue notice and take appropriate action.

4. We are not inclined to clarify the situation. The only ground on which the order was set aside was that there was no notice to the respondents herein before passing the Circular dated 12.4.1993 and issuing the letter dated 18.8.1993 and we do not find any infirmity in the order passed by the learned single Judge.

5. Accordingly the Writ Appeal is dismissed at the admission stage. No costs.

(G.BIKSHAPATHY, J.)

15th March, 2005.

SSR (P.S.NARAYANA, J.)

To

1 The Chairman & Managing Director, Central Bank of India, Chandramukhi, Nariman Point, Bombay.

2 The General Manager (PRS) Central Bank of India, Chandramukhi, Nariman Point, Bombay.

3 The Zonal Manager, Central Bank of India, Bank Street, Koti, Hyderabad.

4 The Regional Manager, Central Bank of India, Vijayawada-10.

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